HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

WRIT PETITION NO.15569 of 1996

Between:

Smt. Gangamma and others. … Petitioners

and

The Mandal Revenue Officer, Kundurpi Mandal,
Anantapur District. …
Respondents

: O R D E R :

Counsel for the petitioners : Sri N. Ranga Reddy

Counsel for the respondents : Government Pleader for Revenue

Date: 8th June, 2006

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This petition is directed against notice dated 2.7.1996 issued by Mandal Revenue Officer, Kundurpi, Ananthapur District vide which he called upon the petitioners to attend his Office on 8.7.1996 and produce all the relevant records.

The petitioners have averred that in furtherance of order dated 17.11.1995 passed in Writ Appeal No.1436 of 1995, they have been pursing their cause in Original Suit No.34 of 11995 pending in the Court of Sub Judge, Ananthapur and, therefore, the Mandal Revenue Officer does not have the jurisdiction to call upon them to appear before him and produce the relevant records.

I have heard learned counsel for the petitioners and the learned Government Pleader for Revenue. In my opinion, the petition is wholly misconceived and is liable to be dismissed because the notice impugned in the writ petition has not resulted in violation of any legal or constitutional right of the petitioners. If the petitioners felt that they are not bound to respond to the notice issued by the Mandal Revenue Officer, then, they could have simply refused to appear before him. In the alternative, they could have appeared before the Mandal Revenue Officer and brought to his notice that the disputed property is the subject matter of litigation pending in the Court of Sub Judge, Ananthapur and, therefore, he should not hold any enquiry in the matter.

Be that as it may, I am convinced that there is no reasonable ground for quashing the impugned notice. In any case, at this belated stage, no direction is required to be given in the matter.

With the above observations, the Writ Petition is dismissed.

8th June,2006 **G.S. SINGHVI, CJ**

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